

The Honorable Mary Jo Heston  
Hearing Date: September 17, 2018  
Hearing Time: 9:00 a.m.  
Chapter 7  
Location: Tacoma

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF WASHINGTON

In re:

HEATHER STEWART,

Debtor.

No. 17-41711

MOTION TO APPROVE SALE OF  
PROPERTY FREE AND CLEAR OF LIENS  
PURSUANT TO 11 U.S.C. § 363 (f)

COMES NOW the Trustee, Kathryn A. Ellis, by and through the undersigned attorney,  
and moves the Court for an order permitting sale of the real property located at 8305 Cirque Dr  
W, #5, University Place, WA, free and clear of all liens, for the sum of \$171,690.00 to Thomas  
McGrath, and/or assigns, or to the individual(s) making the highest and best offer to the estate at  
or before the hearing on this Motion.

The Trustee also seeks authority to pay the first position Deed of Trust of Federal  
National Mortgage Association, and/or assigns, in full in the amount of approximately  
\$145,075.35, plus interest, and the second position Deed of Trust of The Bank of New York  
Mellon<sup>1</sup>, and/or assigns, in the amount of approximately \$6,743.59, or such sum as may be  
negotiated or adjusted to accomplish a “final sale”, in full satisfaction of its lien against this  
property after all costs of closing, including real estate commissions, property taxes, excise  
taxes, statutory utility and/or HOA liens, and other closing costs, together with a buyer’s

<sup>1</sup> “The Bank of New York Mellon, fka The Bank of New York, as trustee for the benefit of the  
certificateholders of the CWHEQ Inc., CWHEQ Revolving Home Equity Loan Trust, Series 2007-  
C”.

1 premium to the estate in the amount of \$15,000. The Trustee agrees that at least two thirds of  
2 such amount will be distributed to unsecured creditors.

3 Said sale to Thomas McGrath, and/or assigns, will be free and clear of all liens and  
4 interests, said liens and interests to attach to the proceeds of the sale as though those proceeds  
5 were the property. Notwithstanding the foregoing, the Trustee requests the authority to pay the  
6 above named secured creditors in the approximate amounts stated.  
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8 DATED this 5<sup>th</sup> day of September, 2018.  
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10 /s/ Kathryn A. Ellis

Kathryn A. Ellis, WSBA #14333

Attorney for Trustee

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**MOTION TO APPROVE SALE OF PROPERTY FREE  
AND CLEAR OF LIENS PURSUANT TO 11 U.S.C. § 363 (f) - 2**

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